

AMENDED IN ASSEMBLY APRIL 19, 2005

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 1660

Introduced by Assembly Member Pavley
(Principal coauthor: Assembly Member Ruskin)
(Coauthors: Assembly Members Hancock, Jones, Laird, and
~~Nation~~ Lieber, Nation, and Saldana)
(Coauthor: Senator Romero)

February 22, 2005

An act to add Article 1.5 (commencing with Section 44810) to Chapter 4 of Part 5 of Division 26 of the Health and Safety Code, relating to air pollution.

LEGISLATIVE COUNSEL'S DIGEST

AB 1660, as amended, Pavley. Vehicular air pollution: alternative fuel vehicle purchasing program.

Existing law provides for the High Polluter Repair or Removal Program, a voluntary vehicle retirement program that requires the Department of Consumer Affairs to establish and implement a program for the repair or replacement of high polluters. Existing law requires the program to provide for the payment to the owner of a high polluter of up to 80% of the total costs of repair, not to exceed \$450, or the market value of a high polluter being removed.

This bill would create the California ~~Energy-Efficient~~ *Energy-Efficient* Vehicle Group Purchase Program in the Department of General Services to encourage the purchase of energy-efficient vehicles, as defined, by local and state agencies through a group-purchasing program. This bill would require the Department of General Services to negotiate the lowest possible purchase price, with one or more vendors, for energy-efficient vehicles on behalf of state

and local agencies that are interested in obtaining those vehicles. This bill would require the director of the department to establish an advisory committee by ~~February 15~~ *April 1, 2006*, meet with the advisory committee, notify all affected entities about the purchasing program, and negotiate contracts, through competitive means and other appropriate strategies, for the purchase of energy-efficient vehicles at the lowest possible price from one or more reliable vendors. This bill would require the department to administer the program in accordance with regulations adopted by the department; ~~including a regulation to recover actual administrative costs from program participants, and would permit the department to recover its administrative costs from program participants.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Article 1.5 (commencing with Section 44810) is
2 added to Chapter 4 of Part 5 of Division 26 of the Health and
3 Safety Code, to read:

4
5 Article 1.5. ~~Energy Efficient~~ *Energy-Efficient* Vehicle Group
6 Purchase Program
7

8 44810. This article shall be known, and may be cited as, the
9 California Energy Efficient Vehicle Group Purchase Program.

10 44811. It is the intent of the Legislature that the state
11 encourage the purchase of energy-efficient vehicles by local and
12 state agencies through a group-purchasing program that uses the
13 purchasing leverage of state and local agencies to lower the
14 purchase price of those vehicles.

15 44812. For the purposes of this article, the following
16 definitions apply:

17 (a) "Department" means the Department of General Services.

18 (b) "Director" means the Director of General Services.

19 (c) ~~"Energy efficient"~~ *"Energy-efficient vehicle"* means either
20 of the following:

21 (1) A vehicle that meets California's super ultra-low emission
22 vehicle (SULEV) standard for exhaust emissions and the federal
23 inherently low-emission vehicle (ILEV) evaporative emission

1 standard, as defined in Part 88 (commencing with Section
2 88.101-94) of Title 40 of the Code of Federal Regulations.

3 (2) A hybrid vehicle or an alternative fuel vehicle that meets
4 California's advanced technology partial zero-emission vehicle
5 (AT PZEV) standard for criteria pollutant emissions.

6 (d) "Local agency" means any governmental subdivision,
7 district, public and quasi-public corporation, joint powers
8 agency, public agency or public service corporation, authority,
9 agency, board, commission, town, city, county, city and county,
10 fire district, special district, school district, public utility,
11 community college, state college, the University of California, or
12 municipal corporation, whether incorporated or not or whether
13 chartered or not, or any other public entity.

14 (e) "State agency" means any department, division, board,
15 bureau, commission, or other authority of the State of California.

16 44813. (a) There is established in the Department of General
17 Services an energy-efficient vehicle group purchase program.
18 The department shall negotiate the lowest possible purchase
19 price, with one or more vendors, for energy-efficient vehicles on
20 behalf of state and local agencies that are interested in obtaining
21 those vehicles.

22 (b) In administering the program, the Director of General
23 Services shall do all of the following:

24 ~~(1) No later than February 15, 2006, establish an advisory~~
25 ~~committee comprised of representatives or organizations eligible~~
26 ~~under this program, including, but not limited to, the California~~
27 ~~League of Cities, the California State Association of Counties,~~
28 ~~and the California School Boards Association.~~

29 *(1) No later than April 1, 2006, establish an advisory*
30 *committee, in cooperation with associations representing*
31 *counties, cities, school boards, and special districts.*

32 (A) The committee shall meet *at least once* no later than 30
33 days after all members are appointed.

34 (B) The committee shall consult with the department regarding
35 the design of the program and other matters relating to the
36 purchase of energy-efficient vehicles, no later than 120 days after
37 its ~~initial meeting~~ *establishment*.

38 (2) Notify all affected agencies about the purchasing program
39 through the department's Internet Web site and publications, the

1 Internet Web sites of appropriate associations, governing boards
2 of local agency associations, and other cost-effective means.

3 (3) ~~No later than 180 days after~~ *After* consultation with the
4 committee pursuant to subparagraph (B) of paragraph (1) of
5 subdivision (b), the director shall negotiate contracts, through
6 competitive means and other appropriate strategies, for the
7 purchase of energy-efficient vehicles at the lowest possible price
8 from one or more reliable vendors.

9 (4) Include in a provision in the vendor contract allowing any
10 state or local agency to purchase energy-efficient vehicles
11 directly from the vendor at the contract price.

12 ~~(e) The department shall administer the program in accordance~~
13 ~~with regulations adopted by the department, including a~~
14 ~~regulation to recover actual administrative costs from program~~
15 ~~participants.~~

16 *(c) The department may recover its actual administrative costs*
17 *from program participants.*

18 (d) Nothing in this article shall be construed as superseding or
19 precluding any similar program that is administered by a district,
20 any other public agency, or any other person.